

The Newberry Herald and News.

ESTABLISHED 1865.

NEWBERRY, S. C., FRIDAY, FEBRUARY 21, 1902

TWICE A WEEK. \$1.50 A YEAR

HOT TIMES IN HOUSE.

TWO MEMBERS ENGAGED IN AN ANGRY WAR OF WORDS.

Representative Josh Ashley and Sinkler Nearly Come to Blows—Threats Made Against Each Other in the Hall of the House.

[Columbia Record, 18th.]

There were hot times in the house this morning, and for a few moments it looked as if Mr. Sinkler, of Charleston, and Mr. Ashley, of Anderson, would come to blows. The Kinard bill, allowing county boards to appoint normal institute teachers, was up for consideration. Several roll calls had been taken. Mr. Sinkler was standing behind Mr. Ashley's desk and they were engaged in an animated conversation. It later developed that Mr. Ashley had accused some members of running out of the hall to avoid voting on the bill. It seems that he had accused Mr. Sinkler of pushing some of them out. This led to their angry colloquy. When the speaker called them to order, Mr. Ashley said: "If Mr. Sinkler doesn't go away from me, I'll throw him out of the hall," or words to that effect.

Mr. Sinkler replied in substance that he would like to see any man try it, but further remarks were drowned by the speaker's gavel. The incident rested for the time, but on returning to his desk, Mr. Sinkler made a personal statement, denying that he had pushed a member out of the door so as to prevent him from voting. He said, further, that no man could try with impunity to throw him out, and that if a man of Mr. Ashley's physique should tackle him, he would bore bullet holes through him.

Mr. Ashley also made a statement, and said that he was at first joking with the "boys," but that if Mr. Sinkler thought he could carry out his threat he would knock the life out of him, or words to that effect.

Friends poured oil on the troubled waters at this point and the incident closed there, though the angry colloquy had created intense excitement.

In the senate today Mr. Butler's bill exempting all graded and special school districts from the operation of the uniform text book law was killed by a vote of 28 to 4. All graded schools in operation previous to 1895, are exempt, and the bill intended to exempt all formed since that time.

Quite a dispute was had as to whether Senator Sullivan's connecting line (railroad) bill had passed a third reading. The journal showed that it had, but the distinct recollection of several senators was that it had not been passed, and that the record was incorrect. The senate by a vote of 18 to 15 refused to recall the bill from the house, thus officially endorsing the correctness of the record.

The bill to require the further improvement of the state house and appropriating \$21,000 from the sinking fund passed third reading and was sent to the house.

CARRIED JOKE TOO FAR.

A Cook County Democrat Attempted Suicide in Danville.

[Danville Register.]

During the brief stay of the Cook county democrats in this city on Sunday several practical jokes were practised on a few of the visitors by members of their own party. One gentleman was charged with stealing a dog in Richmond and arrested for the alleged crime, but was later let into the joke, which he enjoyed to the fullest. Another was told that a warrant was out for him and so on. This appears to have been a popular mode of having fun, but it appears to have been carried just a little too far.

Several hours after the train on which these Westerners traveled, had left Danville, one of the number was noticed sitting in the lobby of Hotel Banton, looking pale and weak as though in deep trouble. He was approached by a gentleman and asked if he had gotten left. The reply came that he (the stranger) was under arrest and that he was waiting

for the officers to come to get him. He was assured that there was no warrant out for him and that all the talk about arresting him was a joke.

When thus informed his countenance brightened as though a heavy burden had been lifted from his shoulders. The stranger then asked to be assigned to a room, and when he was taken from his seat the awful fact dawned upon those about him that there was something radically wrong.

The seat occupied by the visitor, who gave his name as Henry Webber, of Chicago, was full of blood and his clothes, even to his overcoat and pants, were saturated with it. Mr. Webber was removed to a room and a physician sent for. On examination it was found that Mr. Webber, while seated in the lobby of the hotel, had deliberately taken his pocket knife and stabbed himself in the left side and was waiting for death to come.

After being treated by the physician Mr. Webber revived somewhat and stated that he had recently lost his wife, a son had met with a serious accident, and that the news that a warrant was out for him had completely unnerved him and was the cause of his rash act.

His friends in Chicago were notified by wire of the occurrence and have since been advised of his condition.

All yesterday Mr. Webber continued to improve and it is likely that he will be able to travel in a short time.

Examination showed two deep cuts, each two inches in length with fully ten or twelve stabs in the left breast, just over the heart. He had, unnoticed, slipped his hand up under his vest and with his pocket knife made the desperate efforts to end his life. He had bled so freely and so long that he was unable to walk to his room unassisted and it is believed death would have surely followed had his condition remained unnoticed a short while longer. In addition to his other ills, Mr. Webber showed that he had been drinking and this, perhaps, contributed no little to his despondent condition.

Queries About Authors.

The Bookman.

What does Anthony Hope? To Marietta Holley. What happens when John Kendrick Bangs?

Samuel Smiles.

When is Marion Evans Cross?

When William Dean Howells.

When did Thomas Buchanan Read?

Just after Winthrop Mackworth Praed.

Why was Rider Haggard?

Because he let Rose Terry Cooke.

Why is Sarah Grand?

To make Andrew Marvel.

How long will Samuel Lover?

Until Justin Winsor.

What gives John Howard Payne?

When Robert Burns Augustus Hope.

When did Mary Mapes Dodge?

When George W. Cutter.

Where did Henry Cabot Lodge?

In Mungo Park, on Thomas Hill.

Why did Lewis Carroll?

To put a stop to Francis Quarles.

Why is George Canning?

To teach Julia Ward Howe.

What called Harriet Beechers Stowe?

Bunyan.

Booker T. Washington.

Lincoln, Neb., Feb. 14.—The senior class of the Nebraska State University has caused excitement, owing to their selection of Booker

Washington as class orator next June. The ill feeling may result either in the withdrawal of the invitation or half a dozen members of the senior class of the college.

A class meeting was called today to discuss the matter. Five seniors notified the president of the class that if the invitation is not withdrawn they will refuse to appear, though they forfeit their diplomas.

SUPREME COURT DECISION.

Points Decided by the Supreme Court in the Schoolhouse Case—The Change of Location Unlawful.

[The State, 17th.]

Jefferson A. Sligh et al., respondent vs. Geo. W. Bowers et al., appellants.—Locating schoolhouse. Powers of trustees. Statutory provisions. Pleading. Practice.

This is an action by the plaintiffs as citizens and freeholders of Newberry county, residents and patrons of school district No 19 in said county, for an injunction to restrain the trustees of said district from erecting a certain school building contemplated.

For about eight years prior to March 1901, the school house in question was on the site, and was in that month destroyed by fire. Thereafter the majority of the trustees proceeded to erect a new building on a new site. Thereupon this action was brought to restrain such erection.

The defendants first demurred to the complaint on the grounds (1) that the court was without jurisdiction of the subject-matter of the action, (2) that the plaintiffs have an adequate remedy provided by statute, and (3) that the plaintiffs have not exhausted their remedy under the statute by submitting the matters in controversy to the county board of education and thence by appeal to the state board.

The circuit court (Judge Gage) overruled the demurrer, granted and referred the cause to the master to take testimony and report his findings therein. The defendants appealed.

So much of the school law as is involved in the consideration of present appeal is to be found in sections 26, 29, 32, 37 and 39 of the act of 1899 declaring the general school law of this State.

The said school law provides that while the board of trustees have the management and control of the school district, they are "subject to the supervision and orders of the board of education," that the county board of education is a "tribunal for determining any matter of local controversy in reference to the construction or administration of the school laws," and then they have made a decision that shall be binding upon the parties to the controversy.

The complaint alleges that the first site was located and established by the board of trustees in 1893, which was afterwards confirmed by three successive county boards of education, and that when petitions were presented to two of said boards, asking for the change of said site, the granting of the same was refused.

As the decision of the county board of education was binding until reversed by that board it was unlawful for the board of trustees to change the site.

The complaint also alleges that the board of trustees "are now building and erecting, with the public funds set apart for said school district, a school house for said district at another place." Such building is an unlawful use of the public funds, which the court in the exercise of its equitable power will enjoin.

The right of resident taxpayers to invoke the interposition of equity to prevent an illegal disposition of the moneys of the district cannot be questioned. (Crompton vs. Zabriski, 101 U. S. 609; cases cited by Mr. Chief Justice McVey in Butler vs. Ellerbe, 44 S. C. 28.)

The circuit court had jurisdiction in the premises, and the complaint states facts sufficient to constitute a cause of action.

Order below affirmed. Opinion by Mr. Justice Gary. Filed Feb. 12. Messrs. Hunt, Hunt & Hunter for appellants; Messrs. Schumpert & Holloway for respondents.

HOLD DOWN BY NEGROES

A White Man Whipped Almost to Death Near Dyson.

[Greenwood Journal, 19th.]

J. H. Werts, a farmer who lives near Dyson in this county, was whipped nearly to death last Thursday. The facts as well as they can

be gathered from people in that community are about as follows:

Henry Williamson and J. H. Werts live within a mile of each other and have been unfriendly for some time. It seems that several things have occurred to stir up bad blood between the two men. The impounding of Williamson's pig by Werts and the interference by Williamson with hands on Werts' place are two things mentioned. But the "horror of horrors" was at hand last Thursday when Henry Williamson took his gun and a buggy trace and made three negroes go with him to the road where Werts was known to be passing, hauling hard wood to the depot at Dyson for shipment. It was cold and a fire was built to warm by while in waiting. Werts had a man by the name of Speake with him and when Werts approached with his wagon, Williamson ordered Speake to leave. Speake hesitated and begged Williamson to settle the trouble with Werts without violence. But Speake was again ordered away and he left, but was not out of sight for some minutes, and while in sight he saw Williamson take Werts from his wagon and one negro sat on Werts' neck while Williamson lashed the back of poor Werts with his trace. This is Speake's story of what he saw. After a while a mail rider passed that way and Williamson was still letting blows tremendous fall upon Werts. Werts is reported to have fainted three times while the cruel beating was going on. Finally a man by the name of Clary, who superintends the Clark farm and who seems to have more pluck than Speake and the mail rider, came on the scene. Clary saw Werts had little life left and he pulled Williamson from his unfortunate victim and the whipping ceased.

Dr. Wilson, of Ninety-Six, is waiting on Werts, and from information that comes to this city from several sources Werts may die. His body is described by those who have been to see him as a mass of black and bruised flesh from the back of his neck down to his legs. It is said the physician's opinion is that there is internal injury of a serious nature.

Williamson and two negroes, Anthony Reider and Charles Snow, were arrested and appeared before Magistrate Rogers at Ninety-Six, Monday. The prisoners waived a preliminary and were bound over. Williamson gave bond of \$1,000 for his appearance at the March court and the negroes were brought here and put in jail. John W. Williamson, father of Henry Williamson, and W. N. Burkhalter are the bondsmen for Williamson.

KOESTER'S NOMINATION.

President Stands by Him and He Will be Confirmed.

Washington, Feb. 17.—Collector George R. Koester was here today and had a brief interview with the president. Koester's nomination is still held up in the senate committee on finance, although the subcommittee to which it was referred reported it favorably to the whole committee. The president has no intention of withdrawing Mr. Koester's nomination, and his friends in the senate are confident of his ultimate confirmation.

It is understood that some of the Republican leaders in South Carolina, who are fighting Koester's nomination, are promising to give the South Carolina delegation to the next Republican national convention to any man who will defeat Koester's confirmation. Senator Teller, who now acts with the Republicans, is one of the members of the finance committee who is opposing Koester's confirmation.—News and Courier.

White Man Turned Yellow.

Great consternation was left by the friends of M. A. Hogarty of Lexington, Ky., when they saw he was turning yellow. His skin slowly changed color, also his eyes, and he suffered terribly. His malady was Yellow Jaundice. He was treated by the best doctors, but without benefit. Then he was advised to try Electric Bitters, the wonderful Stomach and Liver remedy, and he writes: "After taking two bottles I was wholly cured." A trial proves its matchless merit for all Stomach, Liver and Kidney troubles. Only 25c. Sold by all druggists.

A GOOD MAN.

A Tribute to Calhoun F. Boyd by His Pastor Rev. E. P. McClintock.

[A. R. Presbyterian, 19th.]

Mr. Calhoun F. Boyd died of apoplexy, at his home in Newberry, S. C., Feb. 3, 1902, in the 61st year of his age.

Mr. Boyd was first married to Miss Eliza Wilson, and two children of that marriage are still living, Mrs. Mary Parr, and Mr. Hugh K. Boyd. His second wife, Mrs. Ella I. Bell, nee Duncan, survives him with one son, Calhoun D. Boyd.

Mr. Boyd served the county as treasurer ten years, or five terms of two years. After his second term he had given such unusual satisfaction that no other citizen ventured to oppose him as a candidate for that reliable position. He was adjutant of the James D. Nance Camp of survivors from the time of its organization. He had been secretary of the county Interdenominational S. S. Association for a great many years, and one of its most efficient members. About thirty years ago he was living on a farm a few miles from town, and was a member of a Lutheran church, and his wife a member of Cannon Creek. They compromised on Thompson Street. In a short time he and Mr. J. N. Martin were elected ruling elders. That was a red letter day in the history of the congregation, which had been decimated by the civil war. That same event was of the greatest benefit to the young and inexperienced pastor. Mr. Boyd soon became loyal to all the tenets of the denomination, and enlisted in all of its enterprises and institutions. He removed to the neighborhood of Cannon Creek and served that church as an elder and superintendent of the Sabbath school.

Working on the farm irritated a wound received on one of the battle fields of Virginia on which he was left for dead. For that reason, and in order that his children might attend the academy, he removed to Prosperity. He soon became a valuable citizen of the town and an efficient officer of the church and Sabbath school. After his election to the office of treasurer it was necessary to reside at the county seat. Here he resumed his office in our church, and in a short time took a place in the front rank, not only in our own field, but in all the Christian activities of the town. He had now become one of the best known and one of the most universally esteemed citizens of the county.

In considering his character, and reviewing his life after its close, it is interesting and important to find the secret of the universal esteem in which this humble man was held by all classes of his associates, the high and the low, the rich and the poor. He was naturally an affable man, and a genial companion, easily ingratiating himself with others. The use of these and other valuable gifts was not sufficient though to secure and retain such affectionate regard and unwavering confidence as that given him, and that for so many years. From long and close companionship with him, and full observation of his conduct and habits, the writer is fully persuaded that it all came from the fact that he walked with God. No day was allowed to pass without a season of communion with God in his Word, and in the closet, and at the family altar. He still adhered to the order prescribed in our book for the family to join in singing as well as prayers and Scripture reading. At the midweek prayer meeting he was regularly in attendance, and in the absence of the pastor conducted the service with edification to all who were present. The Lord's day was a delight, and he loved the Lord's house. She ordinance of giving was a source of as much pleasure as any of the others. He gave generously to both of our orphanages, to both missionary funds, to all the other enterprises. The deacons knew that in case of deficit his response to their appeal would be both cordial and liberal. Besides paying for his own church paper he was in the habit of subscribing for the Presbyterian for some person

who was not able to take it. It is in these scriptural habits, and in those old fashioned paths—old as the Bible—that we find the secret of his happy and useful life, and the strength and beauty of his character. We can see now, too, the harmony of the occurrences which were closing his career and preparing him for the sudden summons. Less than a month before we observed the week of prayer recommended by the evangelical alliance, and partook of the Lord's Supper on Sabbath. Then came his last Sabbath here. As assistant superintendent he performed his duties, heard his class, attended a meeting of session after the preaching services. Monday morning after family worship, and breakfast, he went out to his pump with his colored man to do some work on it, fell into the arms of his servant and expired. The silver cord was loosed; the golden bowl was broken. The next afternoon when we carried his mortal remains to the cemetery, the banks and stores were all closed—an unprecedented tribute to a private citizen. Almost every person in that great throng from the town and county felt the loss of a faithful and personal friend. Many of us saw that day with fuller vision that godliness is profitable unto all things, having promise of the life that now is and that which is to come.

E. P. MCCLINTOCK.

AT THE EXPOSITION.

The Attendance Last Week Exceeded Any Since the Opening—Some Signs to Be Seen.

Charleston, February 15, 1902.

Mr. Editor: Visitors from the South take special interest in the extensive display made by the General Electric Company, of Schenectady, New York in the Electricity and Machinery Building. This company built all of the electrical apparatus which furnishes power for many Southern cotton mills, and also for the power stations used in illuminating Southern cities. Many Southern street railways use almost exclusively, equipments manufactured by the General Electric Company, and when one thinks of the resources of a company which can supply anything for electric lighting from a dynamo to a lamp, and anything for street railways between the engine shaft and car axle, it is evident that the interest is at once fixed upon any display they may make. With the broad spirit which characterizes this company's policy, it early decided to make an extensive exhibit at Charleston. The exhibit required four freight cars to transport it from Schenectady and is now completely installed.

It is decidedly interesting to examine in detail the various parts of the electrical equipment of a trolley car, for instance, and to "see what makes the wheels go round."

Many of the more important installations of power for cotton mills in the South, are illustrated by photographs, at the company's exhibit, but not only is this exhibit the most instructive one, it is a very comfortable place to spend a quiet hour in the delightful reception quarters provided for guests.

The attendance at the Exposition during the early part of the week exceeds any other period since the opening. The unseasonable weather of the last three days depleted the attendance, but a surprisingly large number braved the dangers of lung troubles to see the attractions.

Many visitors from the Piedmont section were down doing the exposition this week. Mr. E. A. Carlisle spent two or three days taking in the exposition and looking after the interests of the Carolina Manufacturing Co., of Greenville. He says the exposition exceeds his expectations and cotton will be higher. Col. Geo. Johnstone was here on legal business and also to take a look over the senatorial field. The quiet and always interesting colonel has hosts of friends in the "city by the sea." I noticed several citizens of Silver Street and Old Town on the streets and taking in the great Southern show. Although Newberry County has no exhibit, she is furnishing her quota of attendance, and every visitor now is a missionary who will bring lots of recruits later.

Gen. Stoppelbein, of Spartanburg, is distributing a little booklet setting forth the advantages of Spartanburg County. D. H. Magill, of Greenwood, of the Democratic State Committee has been here. He is full of undefined democracy and praise for the exposition. Major John H. Earle, of Greenville, and a number of other citizens of the "Mountain City" visited the exposition during the week.

The exhibit of Sabores cigars at the entrance to the commerce building attracts much attention. It is in charge of Mr. A. B. Carpenter, of Greenville, whose attractive individuality lends popularity to the house he represents. Mr. Courtenay Appleton has charge of the exhibit. He is a proficient electrician and a prince of entertainers.

(ALFRED COLLINS.)

BARTOW WARREN.

A Desperate Character for Whom a Reward of \$1,000 is Offered, Defying Arrest.

[Augusta Herald.]

Bartow Warren, a fugitive from justice on two charges of train robbery and one of murder, and for whom there is a reward of \$1,000 offered by the State of South Carolina, if he is taken alive, has been found. Since the express robbery near Branchville some time ago people have been on the lookout for Warren, but no definite trace could be gotten of him.

A railroad conductor coming into Augusta this afternoon stated to a Herald reporter that the people of Yemassee are considerably excited and all the talk of the little settlement is of a visit the outlaw paid that place this morning. Early this morning, shortly after the two or three stores of the place had been opened the people collected around them noticed a man coming up the railroad track rather shabbily dressed and with a brace of pistols buckled on the outside of his coat. When the man got near enough to be recognized and his back was seen it was noticed that he had a piece of paper pinned on his back on which was written: "I am Bartow Warren. If you want me take me."

Warren is well known to many people around Yemassee, and it is said he knew the woods and swamps in that part of the country as well as he does the home in which he was raised.

Very unconcernedly he walked directly to the store of Mr. Pinckney, on the right side of the railroad going down, went in and stood against the counter for a short time with a hand on each of the pistols while standing in the store, talked with the proprietor for a few minutes and then went away.

The reward offered for the criminal states that he must be taken and turned over to the State alive and knowing the desperate character of the man no one seemed to care to run the risk of being killed for the sake of the reward; and it is further known that Warren will never be taken alive, unless caught while asleep.

The people of Yemassee believe that Warren has some friend in that section who knows his hiding place and has been supplying him with food.

Jalapa Notes.

Some of the farmers have been tilling the soil.

Mr. and Mrs. John Swittenburg have returned from a visit to relatives in Fairfield.

Mrs. Corrie Chalmers has been quite sick, but is some better now. We hope she will soon be up again.

Mr. Duncan Johnson was in our little town last Sunday. "Come again friend."

Bird hunting is the order of the day, a few has been captured.

Now is your chance to have a house built, the lumber yard is quite full. February 12, 1902. J. C.

Advertised Letters.

Remaining in postoffice for week ending February 12, 1902.

B—Sim Birten, Mrs. J. D. Balton, John Boyd, Rev. W. H. Banton.

C—Glenn Cannon, J. A. Cannon, S. H. Chappell, Mrs. Mary Ann Crumer, Sam Cooper, C. P. Curry, Emma Crompton.

D—M. C. H. Dillard (2), Charlie Davis, Lizzie Donaldson.

F—A. F. Feagle.

G—Mat Geail, Allie Gallman, Hen-

Gilliam, M. A. Goff, Preston Griffin, Miss Mary Gatson.

H—George Hatty, Miss Matie Har-

mon, Noah Harris, Gilliam Holman.

J—Vinnie Johnson, Daisy Johnson.

K—Thomas Kirk, Butler E. Coon.

L—O. L. Livingston, Simon P. Long.

M—J. H. Miller, Mary E. Mangum.

Ada McCarty, Tiler Means, L. W. Mills, S. McCord.

N—Martha Nance.

P—Abbie Pitts.

R—John Ramsey, Pink Robertson, George Rutherford, Mrs. Eliza Ruff, Tinner Roof.

S—Miss Charlotte Spearman, J. B. Smith, Hattie Shepherd, Mrs. Christina Smith, Samuel Smith.

T—Ed Todd, George Turner (2).

V—Hattie Vaughn.

W—J. M. Werts, J. R. Werts, Johnnie Wilson (2), Narsis Williams, John G. White, Miss Maria Williams.

Persons calling for the letters will please say they were advertised. FRANK L. BYNUM, Acting P. M.